

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NATIONAL STEEL CAR LIMITED,	)	
	)	
Plaintiff/Counterclaim-	)	
Defendant,	)	
	)	
v.	)	C.A. No. 24-594-JLH-CJB
	)	
FREIGHTCAR AMERICA, INC.,	)	
FREIGHTCAR NORTH AMERICA, LLC,	)	
JAC OPERATIONS, INC., AND	)	
FCA-FASEMEX, LLC,	)	
	)	
Defendant/Counterclaim-	)	
Plaintiffs.	)	

**PLAINTIFF’S NOTICE OF DISCLAIMED PATENT CLAIM**

Plaintiff National Steel Car Limited (“NSC”) respectfully notifies the Court that it has recently disclaimed claim 1 of U.S. Patent No. 8,162,892 (the “’892 Patent”). A copy of the disclaimer is attached as Exhibit A.

The disclaimer was filed in connection with the *Inter Partes* Review proceeding initiated by Defendant FreightCar America, Inc., in which claim 1 of the ’892 Patent was the sole claim alleged to be anticipated by the asserted prior art. *See FreightCar America, Inc. v. National Steel Car Limited*, IPR2025-01046, Paper 1 (PTAB). Although NSC disagrees that claim 1 is anticipated, its disclaimer removes that argument from consideration while the IPR remains at the institution stage.

As a result of the disclaimer, claim 1 is no longer asserted by NSC in this litigation. The remaining asserted claims of the ’892 Patent, as well as the asserted claims of U.S. Patent No. 8,132,515, remain in force.

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